REMARKS

Claims 1, 2, and 4-6 are pending in the present application. Claim 1 has been amended in accordance with the Examiner's suggestion. Applicants respectfully requests reconsideration of the pending claims in view of the remarks set forth below.

The Examiner rejected claims 1, 2, and 4-6 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 13 of U.S. Patent No. 6,178,164. Applicants submit herewith a Terminal Disclaimer making the obviousness-type double patenting rejection moot. Applicants further appreciate the Examiner's indication of claims 1, 2, and 4-6 having allowable subject matter.

REQUEST FOR ALLOWANCE

In view of the foregoing, Applicant submits that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application are earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: November 4, 2004

George J. Oehling; Reg. No. 40,471

(858) 658-1761

QUALCOMM Incorporated 5775 Morehouse Drive San Diego, California 92121 Telephone: (858) 658-5787 Facsimile: (858) 658-2502

Attorney Docket No.: PA675C

Customer No.: 23696